

New York State Department of Environmental Conservation

Division of Environmental Permits, Region 3

21 South Putt Corners Road, New Paltz, New York 12561-1696

Phone: (845) 256-3054 FAX: (845) 255-3042

Website: www.dec.state.ny.us



August 24, 2005

Ross Winglovitz, P.E.
Engineering Properties, PC
110 Orange Avenue
Walden, New York 12586

RE: DEC Application No. 3-3399-00035/00001
Meadowbrook Estates Proposed Subdivision Within Freshwater Wetland CO-8 (Class III) and
Freshwater Wetland CO-12 (Class III)
Town of New Windsor and Town of Cornwall, Orange County

NOTICE OF INCOMPLETE APPLICATION

Dear Mr. Winglovitz:

We received the above application to construct a 90-lot residential subdivision, Meadowbrook Estates, with a road crossing of Freshwater Wetland CO-8 (Class III) on a 169+ acre property located in the Town of New Windsor and Town of Cornwall on February 10, 2005. Additional materials were received June 23, 2005 and a field inspection was performed by DEC staff following receipt of your latest submission. We now understand that the proposed subdivision extends westward and encompasses a portion of Freshwater Wetland CO-12. Further, it appears that several proposed lots (Nos. 29, 59, and 66 through 71) may potentially disturb regulated areas of this wetland. Therefore, based upon our review to date of submitted materials, the application has been determined to be incomplete. We request that you submit the following information at your earliest opportunity so that permit application processing may proceed:

1. **Plan Requirements** - Provide revised plans which show:
 - A. Limits of disturbance for all activities proposed within Freshwater Wetland CO-8 and CO-12, and their respective 100 foot adjacent areas. Include proposed work on individual lots, stormwater controls, roadway improvements, utilities, etc. ;
 - B. All proposed erosion and sediment controls for the construction phase of the project (silt fence, staked haybales, other). Include symbols for such in the legend;
 - C. Cross section of proposed road. Show materials of construction; and
 - D. Federally protected wetlands.
2. **Freshwater Wetlands** - Provide the following information:
 - A. Clearly list and describe all activities proposed within Freshwater Wetlands and respective adjacent areas;
 - B. Total area of disturbance (square feet) to Freshwater Wetland CO-8, Freshwater Wetland CO-12 and their respective adjacent areas;
 - C. Show all proposed mitigation for disturbances to wetlands (NY State and federal); and
 - D. Freshwater Wetland regulations (6 NYCRR 663) require that disturbances to NYS wetlands and wetland buffer areas be minimized in order to meet permit issuance standards. Therefore, discuss alternatives (i.e., fewer lots located in regulated wetland areas, minimization of proposed

roadway width, other) which reduce disturbance to wetland and adjacent areas. Provide justification for the chosen alternatives.

3. **Other** - Provide a project narrative. Include in the discussion the following:
 - A. Sequence of construction; and
 - B. All proposed sediment and erosion controls.
4. **State Pollutant Discharge Elimination System (SPDES) Stormwater** - Stormwater SPDES permit is required as construction will disturb more than one acre. NOTE: Application materials are available on the DEC website at WWW.DEC.STATE.NY.US.

Please provide **four copies** of all information requested above.

Please contact me at (845) 256-3051 to discuss any questions you may have. Thank you.

Very truly yours,

A handwritten signature in black ink, appearing to read 'Scott Ballard', with a long horizontal flourish extending to the right.

Scott Ballard
Environmental Analyst

cc: Landmaster Community Developers, LLC
F. Cavalari - Etruscan Enterprises, Inc.
Town of New Windsor Planning Board
Town of Cornwall Planning Board
Orange County Health Department